

By this amendment, claims 13, 16-17, 30, 33-34, 42, and 45-46 have been amended.

Claims 13-17, 30-34, and 42-46 remain pending.

On page 2 of the Office Action, the Examiner has rejected claims 16-17, 33-34, and 45-46 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 16-17, 33-34, and 45-46 have been amended to clarify the claim language. It is respectfully submitted that claims 16-17, 33-34, and 45-46 are not indefinite as stated by the Examiner. Accordingly, it is believed that the Examiner's rejection of claims 16-17, 33-34, and 45-46 based upon 35 U.S.C. §112, second paragraph, has been overcome by the present remarks and withdrawal thereof is respectfully requested.

On page 3 of the Office Action, the Examiner has rejected claims 13-17, 30-34, and 42-46 under 35 U.S.C. §102(e) as being anticipated by Alcorn et al. (U.S. Patent 6,104,815; hereafter referred to as "Alcorn") or alternatively under 35 U.S.C. §103(a) as being unpatentable over Alcorn. It is respectfully submitted that Alcorn, as relied upon by the Examiner, does not disclose or suggest these claims.

Claim 13 of the present application calls for a portable information terminal having an interface for connection to a master unit. The portable information terminal includes illegal copying prevention means for periodically determining whether legitimate information has been downloaded from the master unit or not, and if legitimate information has not been downloaded, making ineffective at least control inputs entered into the terminal. The illegal copying prevention means includes identification determining means for determining whether a medium

identification code which has been downloaded from the master unit is a predetermined medium identification code or not. The medium identification code identifies a medium containing at least one program executable in the portable information terminal.

Accordingly, a medium contains at least one program executable in the portable information terminal. A medium identification code identifies the medium. The portable information terminal downloads information, such as downloading a program from the medium, and the medium identification code. The identification determining means of the portable information terminal compares the medium identification code to a predetermined medium identification code stored in the portable information terminal. If the medium identification code does not match the predetermined medium identification code, the illegal copying prevention means of the portable information terminal make ineffective at least control inputs entered into the portable information terminal.

The portions of Alcorn referenced by the Examiner do not appear to disclose or suggest claim 13. In particular, Alcorn as relied upon by the Examiner does not appear to disclose or suggest identification determining means and a medium identification code as called for in claim 13. As discussed above, the medium identification code is downloaded from a master unit and identifies a medium containing at least one program executable in the portable information terminal. The identification determining means determines whether the medium identification code is a predetermined medium identification code or not. It does not appear that Alcorn, as relied upon by the Examiner, discloses or suggests the medium identification code of claim 13.

The Examiner contends that Alcorn describes downloading information identifying a user as an authorized user. However, it does not appear that the downloaded information referenced in Alcorn by the Examiner describes a medium identification code identifying a medium containing at least one program executable in a portable information terminal. Similarly, it does not appear that Alcorn, as relied upon by the Examiner, describes identification determining means using a medium identification code as called for in claim 13. Therefore, the portions of Alcorn referenced by the Examiner do not appear to disclose or suggest claim 13. Accordingly, it is respectfully submitted that Alcorn, as relied upon by the Examiner, does not anticipate or suggest claim 13, and so also does not anticipate or suggest claims 14-17 that depend therefrom. Similar arguments apply to claims 30-34 and 42-46.

Based upon the foregoing, it is believed that claims 13-17, 30-34, and 42-46 are not anticipated by nor rendered obvious by the teachings of Alcorn as relied upon by the Examiner. Accordingly, it is believed that the Examiner's rejection of claims 13-17, 30-34, and 42-46 based upon 35 U.S.C. §102(e) or §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### Conclusion

In view of the foregoing, entry of this Amendment, and the allowance of this application with claims 13-17, 30-34, and 42-46 is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

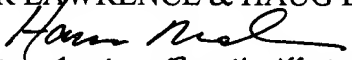
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made.**"

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Claim 13 has been rewritten as follows:

--13. (Amended) A portable information terminal having an interface for connection to a master unit having a function to execute a program, comprising:

illegal copying prevention means for periodically determining whether legitimate information has been downloaded from the master unit or not, and if legitimate information has not been downloaded, making ineffective at least control inputs entered into the terminal,

said illegal copying prevention means comprising:

identification determining means for determining whether a medium identification code which has been downloaded from the master unit is a predetermined medium identification code or not, said medium identification code identifying a medium containing at least one program executable in said portable information terminal.--

Claim 16 has been rewritten as follows:

--16. (Amended) A portable information terminal according to claim 15, wherein said download monitoring means comprises:

preprocessing means for storing the present year, month, and date in a first memory area;

download detecting means for detecting whether data has been downloaded or not; and

[ID determining means for determining whether an ID which has been downloaded is a predetermined ID or not; and]

registering means for setting a flag indicative of the download if the downloaded [ID] medium identification code is the predetermined [ID] medium identification code and registering the present year, month, and date in a second memory area.--

Claim 17 has been rewritten as follows:

--17. (Amended) A portable information terminal according to claim [15] 16, wherein said periodic download determining means comprises:

effective/ineffective determining means for determining whether the present year, month, and date stored in the first and second memory areas are effective or ineffective, and making at least control inputs ineffective if the stored present year, month, and date of ineffective;

elapsed time determining means for determining whether a predetermined period has elapsed or not on the basis of the present year, month, and date stored in the first and second memory areas; and

flag determining means for determining whether the flag has been set or not if the predetermined period has elapsed, making at least control inputs ineffective if the flag has not been set, and resetting the flag if the flag has been set.—

Claim 30 has been rewritten as follows:

--30. (Amended) An entertainment system comprising:

an entertainment apparatus having a function to execute a program; and

a portable information terminal detachably connected to said entertainment apparatus and

having an interface for being electrically connected to said entertainment apparatus;

said portable information terminal comprising:

illegal copying prevention means for periodically determining whether legitimate information has been downloaded from said entertainment apparatus or not, and if legitimate information has not been downloaded, making ineffective at least control inputs entered into said portable information terminal,

said illegal copying prevention means comprising:

identification determining means for determining whether a medium identification code which has been downloaded from said entertainment apparatus is a predetermined medium identification code or not, said medium identification code identifying a medium containing at least one program executable in said portable information terminal.--

Claim 33 has been rewritten as follows:

--33. (Amended) An entertainment system according to claim 32, wherein said download monitoring means comprises:

preprocessing means for storing the present year, month, and date in a first memory area;

download detecting means for detecting whether data has been downloaded or not;

[ID determining means for determining whether an ID which has been downloaded is a predetermined ID or not; and]

registering means for setting a flag indicative of the download if the downloaded [ID] medium identification code is the predetermined [ID] medium identification code and registering the present year, month, and date in the second memory area.--

Claim 34 has been rewritten as follows:

--34. (Amended) An entertainment system according to claim [32] 33, wherein said periodic download determining means comprises:

effective/ineffective determining means for determining whether the present year, month, and date stored in the first and second memory areas are effective or ineffective, and making at least control inputs ineffective if the stored present year, month, and date are ineffective;

elapsed time determining means for determining whether a predetermined period has elapsed or not on the basis of the present year, month, and date stored in the first and second memory areas; and

flag determining means for determining whether the flag has been set or not if the predetermined period has elapsed, making at least control inputs ineffective if the flag has not been set, and resetting the flag if the flag has been set.--



Claim 42 has been rewritten as follows:

--42. (Amended) A recording medium storing a program which can be executed by a portable information terminal having an interface for connection to a master unit which has a function to execute the program, said program comprising the steps of:

periodically determining whether legitimate information has been downloaded from the master unit or not; [and]

if legitimate information has not been downloaded, making ineffective at least control inputs entered into the portable information terminal; and

determining whether a medium identification code which has been downloaded from the master unit is a predetermined medium identification code or not, said medium identification code identifying a medium containing at least one program executable in said portable information terminal.--

Claim 45 has been rewritten as follows:

--45. (Amended) A recording medium according to claim 44, wherein said program further comprises the steps of:

storing the present year, month, and date in a first memory area;

detecting whether data has been downloaded or not; and

[determining whether an ID which has been downloaded is a predetermined ID or not; and]

setting a flag indicative of the download if the downloaded [ID] medium identification code is the predetermined [ID] medium identification code and registering the present year, month, and date in a second memory area.

Claim 46 has been rewritten as follows:

--46. (Amended) A recording medium according to claim [44] 45, wherein said program further comprises the steps of:

determining whether the present year, month, and date stored in the first and second memory areas are effective or ineffective, and making at least control input ineffective if the stored present year, month, and date are ineffective;

determining whether a predetermined period has elapsed or not on the basis of the present year, month, and date stored in the first and second memory areas; and

determining whether the flag has been set or not if the predetermined period has elapsed, making at least control inputs ineffective if the flag has not been set, and resetting the flag if the flag has been set.--

### END AMENDMENT ###